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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,850	11/13/2003	Harry H.J. Bang	BANGH-42880	2763
26252	7590	04/09/2004	EXAMINER	
KELLY BAUERSFELD LOWRY & KELLEY, LLP			FISHMAN, MARINA	
6320 CANOGA AVENUE			ART UNIT	
SUITE 1650			PAPER NUMBER	
WOODLAND HILLS, CA 91367			2832	

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/713,850	BANG, HARRY H.J.	
	Examiner	Art Unit	
	Marina Fishman	2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/13/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

General Status

1. This is a First Action on the Merits. Claims 1 - 19 are pending in the case and are being examined.

Specification

2. The disclosure is objected to because of the following informalities: page 6, lines 6 and 9 refer to "assemblies 10-14", it should be corrected as --10,12 and 14-- .

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1 – 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1: line 9, recites "**a first connector** for connecting the first line switch...", line 18 of the same claim recites "**a first connector** for connecting the second line switch...";

line 11, recites "**a second connector** for connecting the first line switch...", line 20 of the same claim recites "**a second connector** for connecting the second line switch...". It is not clear if "**a first (second) connector** for connecting the first line switch..." and "**a first (second)**

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connector for connecting the second line switch..." are the same. Applicant can't refer to the two different elements by the same name.

Claim 10: line 13, recites "**a first connector** for connecting the first line switch..", line 22 of the same claim recites "**a first connector** for connecting the second line switch..";

line 14, recites "**a second connector** for connecting the first line switch..", line 24 of the same claim recites "**a second connector** for connecting the second line switch..". It is not clear if "**a first (second) connector** for connecting the first line switch..." and "**a first (second) connector** for connecting the second line switch..." are the same. Applicant can't refer to the two different elements by the same name.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claim 1,3 – 8, 16, 18 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Yang [US 4,584,621].

Yang discloses a switch assembly having a first line and a second a line [Figures 1 – 7] comprising:

- a first line switch [7,8, 21',41',51'52';Figures 1,2,3B,4A]
conductively coupled to two separate portions of the first line

and movable between an open circuit position and a closed circuit position, including a first connector [4',8] for connecting the first line switch to a first portion of the first line switch which in turn is connected to a power source and a second connector [7',51'] for connecting the first line switch to a second portion of the first line switch, which is, in turn, connected to a power consumer [LOAD, Figure 3B, 4A], wherein the first and second portions of the first line switch are electrically connected when the first line switch is in the closed circuit position and not electrically connected when the first line switch is in the open circuit position;

- a second line switch [6,9, 21,41,51,52; Figures 1,2,3B,4A] conductively coupled to two separate portions of the second line and movable between an open circuit position and a closed circuit position, including a first connector [9,4] for connecting the second line switch to a first portion of the second line switch which is, in turn, connected to a power source and a second connector [6,51] for connecting the second line switch to a second portion of the second line switch, which is, in turn, connected to a power consumer [LOAD, Figure 3B, 4A], wherein the first and second portions of the second line switch are electrically connected when the second line switch is in the

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closed circuit position and not electrically connected when the second line switch is in the open circuit position;

- wherein the first line switch and the second line switch adapted so as to not to be moved into their closed circuit positions simultaneously [Abstract].

Regarding Claims 3,5, 6, Yang disclose a mechanical means [1,2, 4A] for connecting the first and second line switches to each other such that when the second line switch is moved into its closed circuit position, the first line switch is subsequently moved into its closed position.

Regarding Claims 4,7, 8, Yang disclose a mechanical means [1,2, 4A] for connecting the first and second line switches to each other such that when the second line switch is moved into its open circuit position, the first line switch is subsequently moved into its open circuit position.

Regarding Claims 16, 18 and 19 the Claims method steps would have been necessitated by the product structure.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 9 – 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang [US 4,584,621] in view of Gershen et al. [US 5,583,730].

Regarding Claim 2, 9, 17, Yang discloses the instant claimed invention except for a shield between the first line switch and the second line switch and two line switch portions. Gershen et al. disclose a shield member [664; Figure 10] and a first line portion with the first line switch and a second line portion with the second line switch. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the shield member in Yang, as suggested by Gershen et al., in order to electrically separate the first line switch and the second line switch.

Regarding Claims 10 - 15, Yang discloses a main switch [5], the balance limitations of the Claims are discussed above.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hrubá [US 4,438,302], T. H. Lee et al. [US 3,469,048], Ozawa et al. [US 5,410,116], G. E. Jansson [US 3,174,019] all disclosed switches with sequential operation of contacts. Applicant also should consider these references in response to this office action. Should issue arise concerning the rejection presented above, these references may be relied upon in a subsequent action to support the lack of novelty or obviousness of claimed subject matter to one of ordinary skill in the art.

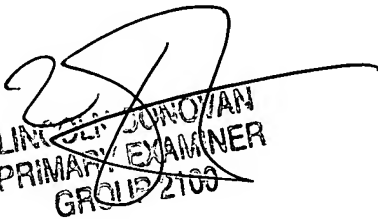
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marina Fishman whose telephone number is 571-272-1991. The examiner can normally be reached on 7-5 M-T.

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10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marina Fishman
April 1, 2004


LIN SEN
PRIMARY EXAMINER
GROUP 2100